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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,254	02/22/2002	Bernard F. Garceau	6523-54	9827

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HAHN LOESER & PARKS, LLP
One GOJO Plaza
Suite 300
AKRON, OH 44311-1076

EXAMINER	
CHAPMAN, JEANETTE E	
ART UNIT	PAPER NUMBER
3635	

DATE MAILED: 02/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/081,254	GARCEAU ET AL.	
	Examiner	Art Unit	
	Chapman E. Jeanette	3635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10,14-17 and 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dussai et al (5795028) in view of Few et al (6932388)(provisional filing date 11/2000) or alternatively Few et al in view of Dussai et al. Dussai et al discloses a universal bracket meaning the same has many applications and is readily adopted to many structural apparatus.

Dussia et al discloses a "*universal*" reinforcing bracket for frame 44 that bolts onto another frame 48 or 44 at a junction between two frame members; the frame comprises;

- A first side 52 adapted to bolted to a first frame 44
- a second side 54 extending at an angle from the first side and adapted to bolt to a second frame 48
- a third side 62 adapted to bolt to a flange of another frame member
- the first and second sides each have an inner an outer surface
- the third side is bilaminar having a first layer extending from the first side and a second layer extending from the second side
- the third side includes an aperture 64
- the sides includes vertically aligned apertures

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- the bracket fastens to the frame at an angled junction of the frame member 44 and the cross member 48
- the apertures on the bracket mate with those on the frame, both the longitudinal 44 and cross members 48

Dussai et al lacks the dimples forming a recess on the inner surface and a projection on the outer surface with an aperture formed therein.

Few et al discloses a trailer frame comprising:

1. at least two longitudinal members 11
 2. at least two cross members 12 attached to the longitudinal members
 3. two A-frame members 14; each having one end fastened to one of the longitudinal members assumably by bolts and the other ends fastened to each other by bolts
 4. the angle formed between the A-frame 14 and the cross members 12 is not shown as 90 degrees. The drawings have been rightfully considered as a part of the disclosure. See figures 1 and 2
 5. Brackets 50. Figure 1 shows corner brackets near element 14 or at the junction of the A-frame member to the cross member. See figures 1 and 2.
2. Few et al also discloses plate 50 or bracket with dimples 52 with apertures and the dimples having a recess on its inner surface and a projection on its outer surface. The trailer frame includes the mating dimples. The dimples from the bracket are in nested engagement with those from the frame,

6. The bracket 50 has two dimples on the left and right sides which are vertically stacked.
7. the A-frame and cross members are traditionally constructed from I beams well known to have an upper flange which would be capable of mating with the third side of the bracket of Dussia , jr. et al. note: applicant is not claiming a method of making.
- 8.

It would have been obvious to one of ordinary skill in the art to modify Dussia Jr, et al to include the mating dimple connection to provide a stronger attachment between the bracket and frame. Alternatively, it would have been obvious to modify Few et al to include the corner brackets of Dussia et al with the dimple attachment means in order to reinforce the frame member in the corner area thereof.

Claims 11-12, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over the either above base references as applied to claim 1 above, and further in view of Goedeke (939005).

Dussia, jr. et al lacks the bracket with the first and second sides of an angle greater than 90 degrees. One of ordinary skill in the art would have appreciated positioning the sides of the bracket at any angle accommodating the angle of the joining frame portions Goedeke et al shows a bracket with an angle between the two sides of greater than 90 degrees. Note the drawings are a part of the disclosure. It would have been obvious to one of ordinary skill in the art to further modify Dussia jr, et al to include the larger angle

between the sides to accommodate part of the frame near element 14 of Few et al which frame parts form an angle of larger than 90 degrees.

Claims 11, 13, 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over the either above base references as applied to claim 1 above, and further in view of Goedeke (1245456).

Dussia, jr. et al lacks the bracket with the first and second sides of an angle less than 90 degrees. One of ordinary skill in the art would have appreciated positioning the sides of the bracket at any angle accommodating the angle of the joining frame portions. Goedeke et al shows a bracket with an angle between the two sides of less than 90 degrees. Note the drawings are a part of the disclosure. It would have been obvious to one of ordinary skill in the art to further modify Dussia jr, et al to include the larger angle between the sides to accommodate part of the frame near element 14 of Few et al which frame parts form an angle of larger than 90 degrees.

Applicant's arguments are moot in view of the new ground of rejection. Regarding the DECLARATION UNDER 37 CFR 1.131- the examiner cited the Hoffman reference but did not use the reference.. Further the exhibits attached to the declaration have no dates to prove completion of the invention prior to 10/2001. Further, the prior art of FEW et al includes a filing date of 11/2001 and a provisional application date of 11/2000.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chapman E. Jeanette whose telephone number is 571-

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272-6841. The examiner can normally be reached on Mon.-thursday, 8:30-6:00, every fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Friedman Carl can be reached on 571-272-6842. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jec


Jeanette Chapman
Primary Examiner